THE MARBLE HILL PRESS. GOVERNOR'S MESSAGE

J. S. EILL, Business Manager.

MARBLE HILL, - - MISSOURI.

The list of fatalities among train robbers needs enlarging still further.

Spain seems to forget that the prosperity of an apology lies in its prompt-

The British lion is a solemn creature that roars at anything excepting a really good joke.

While the train robbery business is booming there appears to be very little money in it at present.

A railroad generally begins to ask for a receiver about the time there isn't anything to receive. It is learned on good authority that

the Empress Dowager of China is very

anxious to become a new woman. A St. Louis musical critic thinks "Il Trovatore" is a dead steal. He says

he has heard it before somewhere. It is not entirely out of the range of possibility that one of the main issues

in 1896 may be the Monroe doctrine.

The victors of all Cuban engagements appears to depend entirely on whether the news comes from Suba or Spain.

If the reports from New Orleans are true, it is apparent that the Mafia doesn't know when it has had enough.

A traveler writes that the women of Morocco seldom know their ages. Is that really so, or is he just kidding us?

Recent developments go to show that the peculiarity of a green carnation is that it isn't green, and is not a carnation.

Possibly we might stop some of these illegal Chinese entries if we cut off the pig tail of every Chinaman who enters by fraud.

Enough wine has been spilled at Nicaragua canal banquets to float a manof-war across the isthmus. But still, where's your old canal?

steps in and occupies all the handy islands, and if peace is made on the basis of possession, she will be the possessor.

Whatever the outcome of his little libel suit, Dr. Dana may soothe his declining years with the reflection that he has dweit for a season in the storm center of a great cyclone of legal oracenter of a great cyclone of legal ora-

There are fresh complaints of op-ants, or partly from both causes, the pression from the American missiona-other servant was injured. Suit for damries in Turkey. It is beyond doubt that against his master, and in that case it these worthy people are in arduous straits. Indeed, to the unprejudiced observer they seem to have taken hold of the conversion of Turkey by the wrong end. If they had begun by converting the sultan there wouldn't be a Mussulman in Turkey by this timeor his head would have adorned a pike in the imperial seraglio.

Most of the colored people who went to Mexico a year ago from Alabama and Georgia are returning to their old homes. They were misled by roseate pictures of Mexican land and society. which closer inspection proved to be false. Now the victims of this delusion are anxious to get back to their native homes in any way possible. The millions of colored people in the south are here to stay. A few may find their way to Africa, but 500 are born where one leaves this country to remain abroad.

Those spiteful persons who had an idea that a portion of the Gould millions were lost to all good now that they had fallen into the hands of a foreign nobleman, will read with profit this paragraph culled from the society columns of a Parisian journal: "Le comte et la comtesse de Castellane, done nous annoncons plus loin le mariage, ont voulu associer les pauvres de Paris a leur bonheur. Ils ont envoye, une somme de vingt mille francs au cure du Gros-Caillou, leur paroisse, pour etre immediatement distribuee aux pauvres."

A very old whale seventy-five feet long was killed off Nahant, Mass., March 9. It was the same whale seen by some Swampscott fishermen a day or two before when they were out in their boat, and forced to make for the shore to escape a rush attack by the whale. The party who secured the whale struck him with a harpoon, when it at once dove under water and reappeared about a mile distant, swimming round and round, and seeming to be entangled in the line attached to the harpoon. In the body of the whale was an old rusty harpoon on which were marked the words, "Hiram K. Swain, 1853," which competent, negligent or victions switchman words were still legible.

TO THE MISSOURI LEGISLATORS IN EXTRA SESSION.

The Imperative Need of a Stringent Election Law, an Explicit Fellow-Servant Statute as Applied to Railroads, and the Suppression of the Lobby Urged.

Gentlemen of the Senate and House of Representatives:

I have felt it my duty to convene the General Assembly in extraordinary ses-sion to consider several questions of high public importance.

Much-Needed Election Law.

I ask the General Assembly to enact a law governing elections heat for the elec-tion of public officials in cities having a opulation of 190,000 and over. The desire population of 190,000 and over. The desire for a better law, applicable to such cities, is so universal and the necessity for it so generally conceded by right-thinking people that I feel as if I need do little more than submit the subject for your consideration. There is certainly no occasion for an elaborate discussion of it.

The residents of St. Louis and Kansas City are impressed with the belief, which, unhapplly, is justified by experience, that gross frauds in election held under the existing law have been and can be com-

gross trauds in election field under the existing law have been and can be committed. Even when this law is administered by the most honest and painstaking officials, it is practically impossible to prevent fraudulent registration and voting on a comparatively large scale.

The number of frauds and the facility with which they may be committed can.

with which they may be committed can, of course, be greatly augmented by the connivance of dishonest officials; but, as I have said, it is extremely difficult, if not practically impossible, to so administer the present law as to prevent a large num-ber of fraudulent registration, and in con-sequence, a large number of fraudulent

There is no doubt of the truth of this statement. The necessity of a better law is, therefore, self-evident. The bailot box should be regarded with the utmost vig-ilance against crime, and be protected, as far as possible, from every description of fraud. Election machinery should be constructed with the sole object of secur-ing a fair and honest election. No patriot-ic citizen, no honest man, can object to that. Every qualified elector has a right to cast one vote, to be fully protected in the exercise of that right, and to have his ballot honestly counted.

The public will, fairly expressed at the polis, should be promptly and implicitly obeyed. To the extent that these plain and familiar truths are departed from.

and familiar truths are departed from, the public right and safety are invaded and our institutions of government im-periled. In my opinion, any man who contests the accuracy of this view, or who acts on a contrary principle, is the slave of partisan passion, or is absolutely dis-

Party advantage should not be sought in the enactment or administration of election laws. There can be no party ad-vantage in the efficient and honest adminwantage in the efficient and honest administration of wholesome laws. Any law, which, by its terms, affords one individual or party an advantage over another, is a bad law. A perfect law, which will entirely prevent fraud, is perhaps impossible, but a law can be enacted which will make fraudulent practices exceedingly difficult and hazardous, and thus minimize the avil the evil.

Fellow-Servant Legislation.

I ask the General Assembly to enact a law defining the relations between railroad cornorations and their employes.

English butcher were riding in a wagon, used by their master in his business, and by reason of some detect in the wagon, or some negligent act of one of the servwas held by Lord Abinger, in the Cour service, unless the master was himself guilty of negligence in employing or re-taining the servant whose negligence caused the injury.

From this case sprang the doctrine of the master's exemption from liability for injuries received by one of his servants by reason of the negligence of a fellow servant. Upon this precedent other cases were decided, until the rule laid down by were decided, until the rate land down of Lord Abinger has become to be generally accepted as the doctrine of the common

This rule of the common law, as administered by the courts, is sweeping in its application. Very few exceptions to the rule have been admitted. It has been broadened in its application until it cover: all classes of servants, without regard to the nature of their employment. Whether this rule, as applied to the servants of a master engaged in the simple and purely private business of a butcher, is just, it is needless now to argue. But the difference in condition, and in the character, pur-pose and scope of the employment of the servants of an English butcher and those of a great semipublic railway corporation, is so marked and clear as in my mind to separate them and place them on a different footing.

How can any just comparison be made between two servants of a butcher, familiar with each other by daily association, acquainted with the simple methods and harmless means employed in the conduct of a business almost wholly free from danger, and in the prosecution of which they are ordinarily in contact and in the pres-ence of each other, and the servants of a great railroad corporation, numbering thousands, scattered for hundreds of thousands, scattered for hundreds of miles, employed in widely different classes of labor, having no direct connection, and in the main unacquainted with each other and all, or nearly all, engaged in a work of peculiar hazard?

of peculiar hazard?

Can any just comparison be made in the condition, responsibility or the nature of the employment between two butcher boys driving a wagon, loaded with tallow, along a public street, and a railway engineer and conductor in control of a train of cars, loaded with human beings, and flying with the speed of the wind along a railroad track? The difference is so complete and emphatic as to make comparison absurd. And ought there to be no difference in the nature and measure of responsibility of such masters as these to their respective

servants?

Let me suppose a case: A passenger train starts out of St. Louis at night, encountering a storm so black that the fire-eye of the locomotive seems only to make the darknes visible, and dashes away over hills, along winding vaileys, around obscure curves, at a speed of 40 miles an hour, with the engineer at his post, his hand upon the throttle and his eyes watching for any signal of danger, when suddenly there is a jar, a lurch, a crash, and the engineer is buried in the ruin. An incompetent, negligent or victious switchman servants?

has failed to do his duty. By reason of the carelesness, negligence or indifference of this switchman, employed to perform certhis switchman, employed to perform cer-tain duties, the engineer is crushed or burned to death, or terribly mutilated. With the employment of the switchman the engineer had nothing to do; he had no connection with him; he did not even know him. The engineer was in no sense to blame, he had simply discharged his to blame; he had simply discharged his duty to the fullest limit. Under the law of Missouri the engineer would have no legal claim for damages against his employer. Is that right?

Duty of Employers.

Let me suppose the case of a train that should have been sidetracked, but, on the contrary, was ordered to proceed, and in contrary, was ordered to proceed, and in consequence of which a collision occurred with terrible effect on trainmen and pas-sengers. The disaster was due to a dis-patcher who misunderstood or was incapaties of understanding his orders, or was guilty of some gross negligence. The train-men were not to blame; they simply obeyed orders and discharged their du-ty. Should they be denied all right of re-

ty. Should they be denied all right of re-dress against an employer who takes a man into his service so incompetent or negligent as to precipitate such disasters? It will not do to say that the employer was unaware of the habits or inefficiency of the switchman or dispatcher. It should be his duty to keep himself informed. Pas-sengers injured in such wrocks would have seems duty to keep himself informed. Passengers injured in such wrecks would have a cause of action. Why should it not be equally the duty of the master to protest its employes in such cases as I have stated?

Disasters of the kind described have oc-Dissisters of the damage of the curred. It would not be difficult to multiply instances similar in nature, if not in detail. Such cases illustrate the unreasonable injustice of the harsh rule of the common law, and demonstrate the uncertify of some material modification of it.

sity of some material modification of it. The force of this necessity has been recognized both in England and America. In England, where the doctrine of exempting the master was first announced, it has been greatly mitigated by statutory enactment, and in its application to servants operating railway trains almost wholly abrogated.

When the necessity of a more humane and enlightened rule—one more in har-

and enlightened rule-one more in hatmony with the altered conditions of our later civilization—is being so generally recognized, both in our own country and abroad, why should Missouri stand obsti-nate in the path of progress and cling stubbornly to an ancient precedent which is fast coming under the ban of universal disapproval? Why should not Missouri enact a law for the protection of the 25.00 man employed in operating the callenges. enact a law for the prefection of the 2.486 men employed in operating the railroads of this State? Why should Missouri postpone to the very last, much less deny any modification of a rule, unjust in Paself, which never had legislative sanction, but exists purely as the creation of judicial precedent, and which stands almost universally condemned by public continuo?

Employes Should Have Redress.

I venture to assert that there are not ! men in 1,000 who would conscientiously deny that a right of action should exist in such cases as I have above described. in such cases as I have above described. Why, then, do we persist in perpetuating a rule of law which shuts the door of the courtroom in the face of men who have suffered injuries for which, in all good conscience and fairness, as a matter of wise public policy and simple justice, they should have redress?

I will not say, for I do not so believe that there is no man honestly and conscients when the proposed on principle to a selectional series of the series o

scientiously opposed on principle to measure of the kind in question. It was measure of the kind in question. It would be difficult to propose any important measure of legislation or public policy which would be free from criticism or opposition from all quarters; and there are some men, often some very good men, so constituted that their natural sphere is one of exposition.

so constituted that their natural sphere is one of opposition.

But this I say, without fear of serious contradiction, that a statute of the character proposed could be easily enacted if the tremendous influence of the railroad corporations were not concentrated in constant and active opposition.

Is there one to doubt the contracted in the contracted of the railroad contracted

constant and active opposition.

Is there one to doubt that such a law would find a place on the statute books if that opposition did not exist? And why do the corporations oppose it? Only because it would result in increasing to some extent their own pecuniary liabilities. I know of no other reason for their control of the received in the control of the reason. opposition. But exemptions from pecuni-ary liability in this behalf is in itself the denial of a right to others which should Considerations not be denied. Considerations of that character cannot justify the maintenance of a rule of law which, if not wrong in its inception, has been so widened in the scope of its application that manifest innot be denied. justice is now frequently done under its operation.

I would not do the least injustice to

do justice themselves; they should not seek an advantage, nor strive to avoid gust responsibilities. Especially should they not resort to vicious or improper means to perpetuate an advantage that

means to perpetuate an advantage that ought not to exist at all. In view of the premises, I confidently appeal to the General Assembly to enact a just and liberal measure of legislation on this subject, while at the same time I urge the necessity of exerting every possible care in its preparation, so as to prevent any abuse of its provisions.

I may be pardoned for adverting at this on this subject, while at the same time I

juncture to a contention put forth since my proclamation convening the General Assembly, to the effect that while the Governor may submit any given subject of legislation at a special session, he can only do so in general terms, and cannot, in any wise, limit the extent to which the General Assembly may go when it comes to deal with that subject.

From that premise it is contended that when the Legislature is called for the purpose of defining by law the relations and liabilities which should exist between railroad corporations and their employees Assembly, to the effect that While

rallroad corporations and their employes that call authorizes the law-making power, under the constitution, to take juris diction of the whole field of the fellow servant legislation, and to embrace in their enactments all other classes of employers and employes

General Assembly's Power Defined. The language of the Constitution is as

"The General Assembly shall have no "The General Assembly shall have no power, when convened in extra session by the Governor, to act upon subjects other than those specially designated in the proclamation by which the session is called, or recommended by special message to its consideration by the Governor after it shall have been convened." after it shall have been conven-

The subject "specially designated" in the proclamation is to define the relations between railroad corporations and their employers, and to fix the legal liability of such corporations for an injury done to one employe by the negligence of another employe.

of another employe.

Railroads are semi-public corporations, engaged in a semi-public business, and their servants are subject to peculiar and extraordinary dangers in the prosecution of a service in which the public, in one sense, is as much concerned as are the corporate masters in another sense. I am unable to perceive any trouble corporate masters in another sense. I am unable to perceive any possible similarity or togical connection between such corporations and a private corporation or individual engaged in mining or manufacturing or other purely private pursuit. But, however that may be, I still submit, with due respect, that the language of the Constitution is so simple, concise and plain that it eannot be misunderstood and that any effort to construe it can

only result in control that the confe on re-I do not believe that the confe on the ferred to is well founded. Who makes this contention? Who desires arger field to work in Who is especially so-

field to work in "Who is especially so-licitous to embrace every master and ser-vant? Other employes are not knocking for admission or ciamoring to be taken in. Other servants although willing to share in the benefits of such a law have, through their infustrial organizations, ex-pressed an inwillingness to interfere in the consideration and passage of the measure specially submitted.

Who, then are the aridat advocates of opening the door to all employments? So

measure specially submitted.

Who, then are the ardent advocates of opening the door to all employments? So far as I have observed this contention has proceeded from railroad circles. At all events, whoever else may incline to favor a "general law," the agents and lawyers of the railroads are the special advocates of that policy.

But how does the inclusion of other servants and masters in a bill or law benefit the railroad corporations? What practical difference does it make to them? Do railroad attorneys make this contention as philanthropists in the interest of humanity, or in the hope that by enlisting a multitude of opposing interests they will be the better able to defeat all legislation? Is not this movement merely an exploit for recruits?

But some have said that to confine the operation of a so-called fellow-servants bill to retire as the present one and their employed.

But some have said that to confine the operation of a so-called fellow-servants' bill to railroad corporations and their employes is class legislation. Might not the same thing be said with more equal force concerning the laws enabled in the interest of miners? Of the law giving preferred liens to mechanics, landlords, etc., of the law providing that no property shall be exempt from execution for wages due a house servant or common laborer? Are

any especial sensitiveness of that subject at this particular juncture? Railroads, as I have said, are semi-public corporations. In this respect they are different from almost all other corpo-rations. They are clothed by law with rations. They are clothed by law with peculiar and extraordinary powers, rights and privileges. They are employed in the public business, and deal daily with the people of the State. There are strong reasens founded in public policy, aside from any abstract question of right, why the servants of such corporations shoul receive the re-ognition they ask. These rea-sons have influenced legislative thought in England and in many American States, where laws of this kind specially applicable to rallway employes have been en-

Lobbying Must Be Suppressed.

I ask the General Assembly to enact a law to restrain, and if possible, to sup-press the practice of lobbying, which has crown into an alarming evil at the capital. It has come to pass that certain rail riads maintain an organized lobby at the State capital during the sessions of the Detectal Assembly. This practice has prevailed for a number of years. It is maintained estemaility for the purpose of "pro-leving" the interests of railroads against the assaults of the people's representatives.

Because the people of the State do now me alise he people of the State do how and then deem it wise and provident to exact some law to prevent abuses, and for the better government of such corpora-tions they are regarded as enemies, and tions, they are regarded as enemies, and every proposal to enact such a law is resented as a declaration of war. And so to protect themselves against the people who created and support them, the corporations organize a hand of crafty "diplomats," a ceterie of skillful manipulators in the art of lobbying, and maintain them at the capital of the State.

These corporate agents, employed to inat the capital of the state.

These corporate agents, employed to in-

flience public officials, have grown in numbers and audacity until they have benumbers and audacity until they have become a positive nursance a menace and a disgrave to the State. Not only do they interfere in legislation, which refers exclusively to railroads, but they do not headitate to thoust themselves officiously into portant measures which relate wholly o other subjects.

The had and long-continued example of

The may and song-continued example of the railroad lobby has become infectious. Others have failen under its permisious influence, until now the agents of more than one special interest are kept at the Capitol to "protect" their employers against the representatives of the people. About the streets and hotels they are About the streets and hotels they are obliquitous; they swarm in the corridors of the Capitol; they frequent committee rooms and public offices, and are almost as familiar to the halls of legislation as ots and hotels they ose entitled to seats by virtue of their ommissions. This practice is demoralizing in the ex-

This practice is demoralizing in the ex-treme. If nothing more, and every con-sideration of honor, decency and good government requires that it should be stopped. The railroads themselves should stopped. The railroads themselves should be the first to put an end to this miserable practice of organized, professional lobby-ing, which they inaugurated, and for the growth and continuance of which they are chiefly responsible. I protest that they should not persist in a practice that brings only reproach upon the State.

that brings only reproach upon the State. The people are not hostile to railroads, but quite the contrary. Whatever prejudice may exist is chiefly of injudicious policies adopted and persisted in by the roads themselves. Railroads are necessary to the well-being of the State. They are great enterprises, requiring large investments of capital, and in the success. vestments of capital, and in the su vestments of capital, and in the success-ful operation of which the highest in-telligence and the most exacting attention are demanded. Any causeless prejudice against them is stupid and contemptible; any untrasonable hostility toward them would be the height of folly.

The Railroads' Prerogative.

The right of any chizen to be ward in a proper way before a committee of the Legislature, or before an executive officer Legislature, or before an executive officer or body, is one that cannot and ought not to be denied. A fair and intelligent pesentation of the views of those having interests at stake, so far from being in bidden, should be invited. But a hand of lobbyists organized and maintained as a permanent institution of the control of the contro

But a hand of lobbyists organized and maintained as a permanent institution, to hang about public offices and the hals of legislation with the sole object of interfering with public affairs, and with aethority to use any means, however que ilonable, to promote their ends, is alterether another thing. That kind of thing is wrong, wholy and irretrievably grong. This evil of professional lobbying his invaded other States as well as Nimouri, and scandais of the most deigraced character have frequently occurred.

The necessity of exercising upide authority to lessen, and, if possibly to suppress, the evil has been very gerreally recognized. Particularly have the commonwealths of Massachusetts an Virginia and the Cavaller, struck a low at this vice which Missouri would do well to imitate.

It is unnecessary that i should assert the suppress of the Missouri would do well to imitate.

late. It is unnecessary that I should say

It is unnecessary that i should say more at this time. The subject does not require further claboration, or the evil to which I direct attention is so patent, so glaring, so pronounced, an has been so generally observed and commented upon, that nothing I can say coul make plainer or more imperative the necessity of devising some adequate means of ridding the State of its debasing influers.

To these several subjects I have the honor to invite the careful ad considerate attention of the General seembly, and since two of them have been already considered at great length and cahaustively discussed, both in committee and in the House and Senate. I include the hope that you have be able to reac, an agreement without serious difficulty or much delay.

William I. STONE.

MISSOURI NEWS.

Elder James C. Perry, who was a canlidate for Congress at the last election on the Populist ticket, died at Hamilton. The Perry electric light went out and

left the town in darkness. Mrs. James E. Shearer of Springfield committed suicide with chloroform. Sha had been very despondent.

A young man, supposed from papers to be Marshal C. Short of Savannah, Ala. was found badly injured on the Santa Fe tracks in Kansas City.

A telephone line is being built from Fair Play to Stockton. It will be in operation by April 15.

Prizes in the annual contest between the Athenean, Union Literary and Blisa Lyceum Societies of the State University were awarded to G. B. Park, essay; G. E. Pringle, declamatory, and G. H. English, oratory,

Dr. J. S. Blackwell of Columbia is considering a proposition to take charge of a college in Constantinople, Turkey.

The Walker High School, under the management of Prof. S. Toledo Sherry, graduated at its commencement five young gentlemen and two young ladies. house servant or common labore? Are not the statutes replete with so-called "class legislation." Why should there be any especial sensitiveness on that subject their friends to the number of 400 or 500. their friends to the number of 400 or 500.

The Kansas City Grand Jury has indicted ex-State Representative Chas. A. Milliman, John May, Alderman John Moran, ex-Recorder of Voters C. S. Owsley, Justice O. W. Krueger, Harry G. Bristow, George J. Pearce and Ralph L. Krueger in connection with election frauls.

State Superintendent Kirk proposes to eliminate from the public school course much that is unprofitable. For instance, the time devoted to the study of the mountains and rivers of Africa, or some squally remote region, will be devoted to the study of the resources of the State of Missouri.

Judge H. W. Fowler, present Police Judge of St. Charles, served a protest with Mayor Ringe against issuing a commission to R. H. Dunian, who was elected at the last election to succeed Fowler. Judge Fowler stipulates that Dunlap was in arrears for unpaid city taxes on April 2, 18%, and states that if his protest is disregarded he will proceed against the Mayor according to law.

Snider Sons' Carriage Company of Piqua, O., will soon put in a lumber plant at Dudley, Stoddard County, for the manufacture of hickory spokes and buggy and carriage material.

The "Leader" affirms that the enforcement of the Sunday liquor law is a farce in Springfield, the gardens and drug stores selling, while the saloons, paying big licenses, respect the law.

In the special election held in Oregon County to serve out the unexpired term of Representative J. B. Old, deceased, Poy Woodside, Democrat, was elected by seven majority over Alf Harris, Populist and Republican.

The students of the Missouri State niversity have organized a glee club, composed of 30 members, which will soon start on a tour through Missouri and adjoining States. The organization consists of vecal, mandolin, banjo and guitar clubs, and one violin soloist. Max Gottschalk of St. Louis.

The three small pox patients at Sedalia were removed to the pest house, outside the limits, and the city is now free from the disease, and further outbreaks are not expected.

An excursion to Hot Springs, S. D., is one of the contemplated features of the Scuthwest Missouri Press Association meeting at Mountain Grove, May 17 and

The residence of James L. Dean of Seligman was destroyed by fire. This is the first house burned in that town for many

A committee of Lexington citizens visited St. Joseph, asking assistance in the bridge project.

Sedalia wants more brick sidewalks. Mrs. Minerva Ro. s died at Clifton City, aged 81

The prosperity of the Chinese Sunday "choo" at Kansas City has been impaired by the marriage of Miss Sharpe and Gong Fing.

There are five cases of scarlet fever in Centralia raised \$100 for the Confederate

Home The "Howard County Leader" prints a trade edition, illustrating the advantages

of Fayette and Howard County. The dry goods firm of J. H. Sterling & Co. of Sullivan has made an assignment.

John G. Gooch, an esteemed citizen of Browning, died of consumption. H. J. Waters was elected Dean of the

State Agricultural College. The State Board of Equalization raised the valuation in Ralls County on horses 19

per cent, on mules 30 per cent, and on cattle 10 per cent. St. James offers to donate \$10,000 if the Soldiers' Home is located on the old William James farm on the outskirts of

that town. D. O. LaPoint's head was blown off by a mine explosion at Jeplin. He was 35

years old and married. The Jasper County wheelmen will have a big picute in May somewhere on Spring